

Report of the
Adjutant General
1868-69

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REPORT OF THE ADJUTANT GENERAL.

STATE OF NORTH CAROLINA,
ADJUTANT GENERAL'S OFFICE,
Raleigh, Nov. 10th, 1869.

*To His Excellency, W. W. HOLDEN,
Governor and Commander-in-Chief of
Military Forces of North Carolina :*

GOVERNOR:—I have the honor to submit the following report, for the year ending the 1st instant.

An effort was made during the past year to effect a general organization of the militia without success, for the reason that in less than one-fourth of the Counties, were the Colonels able to find suitable persons who would accept of Captain's commissions and perform the necessary duties of enrolling officer under provisions of present law.

It being apparent that some modification of the law should be made, it was thought best not to issue commissions to officers for Regiments, Brigades, &c., that had not been organized, but to refer the subject to the General Assembly.

In eighteen Counties, the required number of Magistrates have called for the organization of the Detailed Militia.

The proper orders were issued, but a number of officers having failed to return a copy of muster roll, it is impossible

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to state definitely how many companies are fully organized. Arms and equipments have been issued to but five companies. The remainder of the ordnance stores mentioned in my last report, is carefully stored in the Arsenal.

The Detailed Militia have been called out by the local civil authorities in three Counties, Jones, Craven and Wake, and, as I am informed, the special object of the call, in each case, was very successfully obtained.

The assassination of Sheriff Colgrove and two colored men in Jones County, and the burning of several buildings, produced such a state of excitement that further outrages were very seriously feared, and, in compliance with request of civil authorities, a detachment of one of the Militia companies of Wake County was sent there by your order. On their arrival quiet was restored; and, after remaining a month and a half, and fears of other acts of violence having in a measure subsided, they were withdrawn.

In regard to this organization, I would respectfully submit same objections and recommendations, in substance, that I offered in my last report.

Believing the Detailed Militia to have been productive of good results, and, as a posse, of considerable efficiency, yet as a military organization, I think it liable to these serious objections:

First. By allowing every person to obtain exemption by paying a commutation tax, none but volunteers can be taken; and persons having regular employment are not inclined to leave it for a few days service at the small pay allowed soldiers.

Secondly. No drill is required by which alone steadiness, good order, and obedience can be readily secured.

Thirdly. The organization is not adapted to use of tactics prescribed by the War Department for the United States Army and State Militia.

The section is the unit, which would be a serious objection

to any combination and would destroy its usefulness when large numbers were required.

It is hoped the organization hereinafter recommended will take its place.

The unqualified commutation clause, as it is at present, renders any organization totally unreliable. A company formed one year may prefer to pay the commutation the next, or any proportion it may choose to pay, and thus break up the company. An attempt to keep up an organization of the entire Militia with general musters, would be an injudicious effort to perpetuate a system that has been discarded as impracticable by nearly every other State.

It would be impossible for a large portion to provide themselves with suitable arms and equipment. They must be exempted, or fined, or armed by the State.

While a larger proportion regarding the whole matter as extremely irksome, would seek to evade the necessary duties of the organization and very likely succeed in rendering it useless.

The law may require six or eight days drill in a year, and this class would be likely to attend not more than that number of hours, and then with no benefit. To have an efficient Militia, there must be an "*esprit de corps*," which only those feel who readily assume its duties and take pride in its success. While these general musters, attended from different motives, besides learning the duties of a soldier, have always been a burlesque on military organizations.

The Constitution makes it imperative upon the General Assembly to "provide for the organizing, arming and equipping of the Militia;" and having stated a few objections to present system, I would respectfully submit a brief plan of organization, which is the same in substance as I offered for your consideration in my last report, and which met your approval.

First. The enrollment of entire militia by the tax assessors, and returns made to this office annually.

Second. The organization of a volunteer force, to be kept

up by draft, if necessary, of from one-eighth to one-sixth of entire militia, proportioned among the Counties. This force to be armed and equipped by the State.

Third. Those liable to duty, who are not members of volunteer organizations, to pay a small commutation tax for their exemption from musters.

This will go to the school fund and will relieve the State of otherwise providing for just so much for schools.

It is but just that all liable to duty should bear their share of the burden of government, and while a portion give their time the others should pay an equivalent.

Estimating the number of militia at ninety-two thousand, and that twelve thousand are organized as volunteers, it leaves eighty thousand to pay commutation, which, at present rates (\$2) would amount to one hundred and sixty thousand dollars revenue to the State.

Fourth. That these volunteer organizations be drilled sufficiently to render them disciplined and effective. To secure this, in addition to the company drill, there should be an annual encampment, by regiment or battalion, of not less than four days, the men to be subsisted during this muster by the State, or paid a per diem instead. The expense would not amount to half the commutation tax.

Sixth. That the officers be appointed and commissioned by the Governor. None but intelligent, responsible men of character should be appointed, and this object can be better secured by giving the Executive the appointing power, than by allowing the men to elect.

I would suggest that the law now seems objectionable, as it gives power to a single Magistrate or Constable to call out the whole Detailed Militia of the County. The calling out of the militia, it seems to me, should be made a matter for more consideration, than would likely be given it by a single petty officer, whose personal feelings might improperly influence his conduct.

Letters have been received during the year from the War

Department, making inquiries as to service, residence, &c., of persons formerly belonging to North Carolina organizations in United States army ; also letters from soldiers, asking for additional evidence that will enable them to obtain the bounty and back pay to which they are entitled.

This office contains no records that furnish any of the requisite information. I would again recommend that measures be taken to secure a complete roster of North Carolina soldiers who were in the Federal service during the late war.

The following statement shows the incidental expenses of the office for the past year :

Postage,	\$ 20
Printing,	36 30
Traveling expenses,	110 25
Expenses of Militia sent to Jones Connty, 26 men and 2 commissioned officers, on duty 48 days, pay and clothing,	1,196 52
Subsistence,	458 80
Transportation,	334
Camp equipage, quarters, medical attendance, &c.,	124 49

If anything more was needed to urge this subject upon the attention of the General Assembly it is furnished in the startling fact that in several Counties of the State the civil authorities have signally failed to ensure protection to life and property against a system of outrages carried on by disguised men at night, creating a reign of terror that is not only preventing persons from coming into the State but is actually driving many out. I will close by giving an extract from the very excellent report of the Adjutant General of New York, which applies with equal force to this State : " An organized militia though never arrayed for hostile action is a constant menace to the evil disposed. As the security of society exists in the law, so the law depends for its efficiency upon the power and certainty of its enforcement. What ensures this enforcement ? Not the acquiescence of the entire people, for no law but has its protestants, and when the law contemplates the suppression of

crime all the evil and desperate elements of society are arrayed against it; nor is it the civil force of sheriffs and constables and police—these are successful because they are the mere skirmishers of the mighty and recognized power behind them. It is an organized military force armed with the most efficient weapons and acting in that disciplined harmony that awes by its suggestive irresistibility.”

Gen. Sherman says: “Now is the appointed time if ever, in our history, to place the militia of our country on a footing honorable and useful to the nation.”

Gov. Seymour said in one of his messages, “our State can only be made secure by arming, equipping and drilling our militia. If this is not done it will be a criminal neglect of the best interests, honor and safety of the State.”

I am, Sir,

Very respectfully,

Your obedient servant,

A. W. FISHER,

Adjutant General.

